

Wetlands Bureau Decision Report

Decisions Taken
07/19/2004 to 07/23/2004

DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

APPEAL:

I. Any affected party may ask for reconsideration of a permit decision in accordance with RSA 482-A:10,II within 20 days of the Department's issuance of a decision. Requests for reconsideration should:

- 1) describe in detail each ground for complaint. Only grounds set forth in the request for reconsideration can be considered at subsequent levels of appeal;
- 2) provide new evidence or information to support the requested action;
- 3) Parties other than the applicant, the town, or contiguous abutters must explain why they believe they are affected; and
- 4) Be mailed to the DES Wetlands Bureau, PO Box 95, Concord, NH 03302-0095.

II. An appeal of a decision of the department after reconsideration may be filed with the Wetlands Council in accordance with RSA 482-A:10, IV within 30 days of the department's decision. Filing of the appeal must:

- 1) be made by certified mail to Brian Fowler, Chairperson, Wetlands Council, PO Box 95, Concord, NH 03302-0095 (a copy should also be sent to the DES Wetlands Bureau);
- 2) contain a detailed description of the land involved in the department's decision; and
- 3) set forth every ground upon which it is claimed that the department's decision is unlawful or unreasonable.

MAJOR IMPACT PROJECT

2002-00837 STAM, ALLAN & CYNTHIA
LYME Hewes Brook

Requested Action:

Dredge and fill 67,623 square feet within palustrine wetlands to construct a dugout pond for creating a diversity of wildlife habitat and for fire protection. Work will include creating shallow marsh and emergent wetlands, beach/boulder/gravel habitat, nesting islands, flooded timber, as well as restoring wet meadow and riparian buffers along Hewes Brook.

Conservation Commission/Staff Comments:

The Con Com agrees with the proposed wildlife pond project, but recommends that a shrub buffer between the pond and Hewes Brook be kept in its natural state, that native species be used for planting and that tree cutting be limited.

Inspection Date: 12/04/2001 by Craig D Rennie

APPROVE AMENDMENT:

Dredge and fill 67,623 square feet within palustrine wetlands to construct a dugout pond for creating a diversity of wildlife habitat and for fire protection. Work will include creating shallow marsh and emergent wetlands, beach/boulder/gravel habitat, nesting islands, flooded timber, as well as restoring wet meadow and riparian buffers along Hewes Brook.

With Conditions:

1. All work shall be in accordance with revised plans by James S. Kennedy dated April 22, 2002, and revised through June 17, 2004 as received by the Department on June 22, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
4. The applicant shall work with the Connecticut River Watershed Council to amend the existing conservation easement to allow for increased protection of wetlands within the easement area.
5. Wetland creation and enhancement areas shall be properly constructed, landscaped, monitored and remedial actions taken if necessary to create functioning wetland areas similar to those wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface and changing the hydraulic regime.
6. The permittee shall designate a qualified professional who will have the responsibility to assure that the area is constructed in accordance with the revised plan, that monitoring is accomplished in a timely fashion, and remedial measures are taken if necessary. The Wetlands Bureau shall be notified of the designated professional prior to the start of work and if there is a change of status during the project.
7. The permittee shall conduct a follow-up inspection after the first growing season, to review the success of the area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the initial completion of the pond site.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
10. Work shall be done during low flow or periods of dry conditions.
11. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
12. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Culvert outlets shall be properly rip rapped.
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be

stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

The department reaffirms findings 1-5 of the original approval dated September 3, 2003 and makes the following findings.

6. The new ponded finger is currently in an eroding area and dredging will stabilize the area.

7. The dredge is away from the existing beaver dam.

8. DES Dam Bureau has provided documentation that a dam permit is not required for this project.

2003-00443 GOLDEN CORRIDOR, LLC, MARK MAYNARD TTEE
HAMPTON Hampton Harbor

Requested Action:

Excavate, regrade, fill and/or otherwise alter terrain on 45,700 sq. ft. of previously developed or impacted tidal buffer zone for the construction of a 21-unit condominium complex, reconstruction of a private roadway with associated parking areas and landscaping and to include a brick sidewalk, swimming pool and the installation of underground utilities, a closed drainage system and stone rip-rap outlet protection.

APPROVE PERMIT:

Excavate, regrade, fill and/or otherwise alter terrain on 45,700 sq. ft. of previously developed or impacted tidal buffer zone for the construction of a 21-unit condominium complex, reconstruction of a private roadway with associated parking areas and landscaping and to include a brick sidewalk, swimming pool and the installation of underground utilities, a closed drainage system and stone rip-rap outlet protection.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc. dated 4/10/02 (last revised 3/12/04), as received by the Department on March 26, 2004.

2. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

3. This permit is contingent on the approval and conditions of the NPDES permit as applicable to this project.

4. This project will be coordinated with the NH DES Watershed Management Bureau to assure Best Management Practices for storm water runoff are utilized at this site to insure water quality management for the protection of shellfish and finfish resources in the environs.

5. This permit is contingent on approval by the NH DES Site Specific Program.

6. This permit is contingent on approval by the DES Waste Management Division, if required, for the demolition phase of the project.

7. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

8. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.

9. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.

10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

11. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(b), to excavate, regrade, fill and/or otherwise alter terrain on 45,700 sq. ft. of previously developed or impacted tidal buffer zone for the construction of a 21-unit condominium complex.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. DES Staff conducted a field inspection of the proposed project on May 25, 2004. Field inspection determined all proposed impacts are within previously developed or impacted areas of the tidal buffer zone and shoreline.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of the estuarine ecosystem in the environs.

2004-00496 SEATON, JAY
TUFTONBORO Lake Winnepesaukee

Requested Action:

Construct a 4 ft x 41 ft piling pier with a 14 ft x 30 ft seasonal canopy and a piling supported boatlift, and repair an existing nonconforming 55 linear ft breakwater by resetting (4) rocks on an average of 130 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. had no objections to project.

APPROVE PERMIT:

Construct a 4 ft x 41 ft piling pier with a 14 ft x 30 ft seasonal canopy and a piling supported boatlift, and repair an existing nonconforming 55 linear ft breakwater by resetting (4) rocks on an average of 130 ft of frontage on Tuftonboro Neck, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 16, 2004, revised May 26, 2004, as received by the Department on June 3, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Existing rocks which have fallen shall be used for repair. No Additional Rocks.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
8. Repair shall maintain existing size, location and configuration.
9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
10. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
11. Pilings shall be spaced a minimum of 12 feet apart as measured center to center.

12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a major impact project per Administrative Rule Wt 303.02(d), construction of a dock adjacent to a breakwater.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on May 13, 2004. Field inspection determined the project to be approvable with revisions and conditions.
6. The public hearing is waived with the finding that the project impacts will not significantly impair the resources of this lacustrine system.

-Send to Governor and Executive Council-

2004-00719 HERWECK, STEVEN
MEREDITH Lake Winnepesaukee

Requested Action:

Permanently remove an unpermitted docking structure and an un-permitted deck over the bank, install two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft walkway in a "U" shaped configuration, install a seasonal boatlift in the center slip with a 10 ft by 26 ft canopy, install two seasonal pwc lifts to the north along the shore on 220 ft of frontage on Lake Winnepesaukee, Meredith.

Conservation Commission/Staff Comments:

Con Com has no concerns about proposed project.

Inspection Date: 06/22/2004 by Darlene Forst

APPROVE PERMIT:

Permanently remove an unpermitted docking structure and an un-permitted deck over the bank, install two 6 ft by 40 ft seasonal docks connected by a 6 ft by 12 ft walkway in a "U" shaped configuration, install a seasonal boatlift in the center slip with a 10 ft by 26 ft canopy, install two seasonal pwc lifts to the north along the shore on 220 ft of frontage on Lake Winnepesaukee, Meredith.

With Conditions:

1. All work shall be in accordance with plans by Robert Coppo dated April 19, 2004, as received by the Department on April 26, 2004, and canopy plans received July 15, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
5. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Seasonal structures shall be removed from the lake for the non-boating season.
7. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
8. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Canopies shall be of seasonal construction type with a flexible fabric cover which shall be removed for the non-boating season.
10. Seasonal personal watercraft lifts shall be removed from the lake for the non-boating season and installed at least 20 ft from the abutters property line.

11. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d).
2. Field inspection of the property on June 22, 2004 by DES staff found the previously unpermitted beaches to be non-existent. The native vegetation has reclaimed the disturbed areas.
3. The proposed project brings the frontage into compliance.

MINOR IMPACT PROJECT

**2003-00627 NH FISH & GAME DEPARTMENT
CENTER HARBOR Hawkins Pond**

Requested Action:

Amend permit by changing construction from a concrete boatramp to an earthen carry in boatlaunch. This removes the proposed 900 sqft of fill in the public waters to install the proposed concrete ramp.

Conservation Commission/Staff Comments:

Con Com has not submit comments by 05/21/03

APPROVE AMENDMENT:

Disturb 20 linear ft of bank to upgrade an existing gravel boat ramp and improve site drainage with a vegetated treatment swale on Hawkins Pond, Center Harbor.

With Conditions:

1. All work shall be in accordance with plans by New Hampshire Fish and Game dated October 2002, revision date July 7, 2004, as received by the Department on July 14, 2004.
2. Any future alteration of areas in or adjacent to surface water or wetlands on this property will require a new application and approval by the Department of Environmental Services.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Dredged or excavated material shall be placed out of the DES Wetlands Bureau jurisdiction.
5. All activity shall be in accordance with the Shoreland Protection Act, RSA 483-B.

With Findings:

1. The proposed project is considered a minor wetlands impact per Rule Wt 303.03(a).
2. Upgrading the Hawkins Pond boat ramp is in the public interest as it reduces the potential hazards to those who utilize the existing deteriorated boat ramp.

**2003-00679 FAY, WILLIAM
BELMONT Badger Pond**

Requested Action:

Dredge and fill approximately 3,000 square feet (60 linear feet) within the bed and banks of the Tioga River to complete the breach of the Badger Pond Dam (Dam #021.02).

Conservation Commission/Staff Comments:

The Belmont Conservation Commission did not comment on this application.

Inspection Date: 05/06/2004 by Jocelyn S Degler

Inspection Date: 12/05/2003 by Jocelyn S Degler

Inspection Date: 07/10/2003 by Jocelyn S Degler

APPROVE PERMIT:

Dredge and fill approximately 3,000 square feet (60 linear feet) within the bed and banks of the Tioga River to complete the breach of the Badger Pond Dam (Dam #021.02).

With Conditions:

1. All work shall be in accordance with plans by Fay Engineering Services, dated August 22, 2003, and revised through June 4, 2004 as received by the DES Wetlands Bureau on July 7, 2004 ("the approved plans").
2. This permit is contingent on review and approval, by the DES Wetlands Bureau, of final stream diversion/erosion control plans. Said plans shall detail the timing and method of stream flow diversion during construction, and show temporary siltation/erosion/turbidity control measures to be implemented.
3. This permit is contingent on approval from DES Dam Safety Program.
4. The applicant shall notify in writing the DES Wetlands Bureau, and the Belmont Conservation Commission of their intention to commence construction no less than five (5) business days prior to the commencement of construction.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during annual low flow and drawdown conditions prior to September 30, 2004.
7. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
8. Dredged material and existing dam rubble within the bank of Tioga River shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau
9. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation and areas cleared of vegetation to be revegetated within three days of the completion of this project.
10. Work shall be conducted in a manner so as to minimize turbidity and sedimentation.
11. The penstock shall not be opened during construction without coordination and approval of DES Wetlands Bureau and the DES Dam Safety Bureau.
12. The penstock gate shall be completely sealed so not to be opened accidentally at a later date.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with netting and pinning on slopes steeper than 3:1.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. A post-construction report documenting the status of the restored stream banks and dam materials removed from jurisdiction shall be submitted to the Wetlands Bureau by December 1, 2004.

With Findings:

1. This project is classified as a Minor Project per Rule Wt 303.03(h), as it involves impacts to the banks and bed of Tannery Brook.
2. The purpose of this project is to remove a degraded concrete dam which inhibits the natural flow of the brook.
3. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
4. The project, as approved and conditioned, has met the intent of Rule Wt 302.03 regarding the avoidance and minimization of wetland impacts.
5. This dam was partially breached under an emergency authorization issued by the DES Wetlands Bureau on December 4, 2003.

2004-00685

VAHEY, JAMES/JEANNINE

STRAFFORD Unnamed Wetland

Requested Action:

Fill approximately 3,487 square feet of wet meadow wetlands to construct a roadway and install a 15-inch x 56-foot culvert to provide access to a 4-lot residential subdivision on approximately 58 acres.

Conservation Commission/Staff Comments:

In a letter to the DES Wetlands Bureau dated July 1, 2004 the Strafford Conservation Commission made the following recommendations: a) the proposed subdivision road should be aligned to run more closely follow the route of the existing driveway in the area of the existing culvert; b) any permit issued by the Department should include language requiring that the natural vegetation on the westerly side of the roadway be retained to provide screening; and c) the Wetlands Bureau should complete a brief technical review of proposed site drainage.

APPROVE PERMIT:

Fill approximately 3,487 square feet of wet meadow wetlands to construct a roadway and install a 15-inch x 56-foot culvert to provide access to a 4-lot residential subdivision on approximately 58 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Millette, Sprague & Colwell, Inc., as received by the Department on July 16, 2004:
 - a) The Subdivision Plan (Sheet 1 of 6) dated January 14, 2004 and revised June 21, 2004; and
 - b) The Wetland Application Plan (Sheets 1 & 2 of 2) dated January 14, 2004 and revised July 2, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minor Impact Project per Administrative Rule Wt 303.03(h), as the project involves less than 20,000 square feet of alteration in nontidal wetlands.
2. In a letter to the DES Wetlands Bureau dated July 1, 2004 the Strafford Conservation Commission made the following recommendations: a) the proposed subdivision road should be aligned to run more closely follow the route of the existing driveway

in the area of the existing culvert; b) any permit issued by the Department should include language requiring that the natural vegetation on the westerly side of the roadway be retained to provide screening; and c) the Wetlands Bureau should complete a brief technical review of proposed site drainage.

3. In response to item 2a above, the Department finds that the proposed subdivision roadway alignment appears to be the most practicable alternative.

4. In response to item 2c above, the Department finds that information provided in a letter from the applicant's authorized agent, Millette, Sprague & Colwell, Inc. dated July 14, 2004, sufficiently demonstrates that post-development stormwater flows will not significantly increase when compared to pre-development conditions.

5. Based on review of the application and supporting documentation, the Department finds that the recommendations made by the NH Fish & Game Department in a letter dated July 14, 2004, regarding wood turtles, spotted turtles and Blanding's turtles, have been adequately addressed.

6. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.

7. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.

8. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.

9. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

2004-00768 CAPLIN, MICHAEL & PAMELA
TUFTONBORO Lake Winnepesaukee

Requested Action:

Construct two 6 ft x 35 ft crib docks connected by a 6 ft x 12 ft walkway on a property having 168 ft of frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Ledge and rock prevents pilings on Cow Island. ConComm only commented to request more information on water depth and crib spacing which was addressed.

APPROVE PERMIT:

Construct two 6 ft x 35 ft crib docks connected by a 6 ft x 12 ft walkway on a property having 168 ft of frontage on Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Diversified Marine Construction, as received by the Department on April 29, 2004 and June 12, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
6. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
7. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
8. The minimum clear spacing between cribs shall be 12 feet.
9. No portion of the pier shall extend more than 35 feet from the shoreline at full lake elevation.
10. The existing seasonal dock shall be completely removed from the frontage prior to the Construction of the new piers.

11. This shall be the only structure on this water frontage and all portions of the structure shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
12. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a docking structure with no more than 4 boatslips and that uses no more than 100 feet of waterfront.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00815 KNAPP, FRED
SUNAPEE Lake Sunapee

Requested Action:

Remove an existing 4 ft x 40 ft permanent crib dock and replace with a 6 ft x 40 ft crib dock.

Conservation Commission/Staff Comments:

After the fact - large rock 2' below high water extending out from under dock limits placement of cribs and encroaches into boatslip - lots of rocks and shallow waters = no standard slip on south side of dock - pt wood, concrete, other fill debris, and metal pipes held up old dock - no new impact to bank -cribs are minimum length of 4 ft and are as far apart as possible

APPROVE AFTER THE FACT:

Remove an existing 4 ft x 40 ft permanent crib dock and replace with a 6 ft x 40 ft crib dock.

With Conditions:

1. All work shall be in accordance with plans received by the Department on July 20, 2004.
2. This permit shall be recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
6. The maximum size of cribs shall not exceed 6 feet long by 6 feet wide and of such height as necessary to support the docking structure above the water level. Variance to this condition may be sought if water depth is greater than 6 feet.
7. Crib material shall be timber, concrete, or other material approved by the Department of Environmental Services, and of such size and spacing as necessary to completely contain the ballast.
8. Rocks removed from the lake bed shall be placed outside of the jurisdiction of the DES Wetlands Bureau unless another use is specifically permitted.
9. Rocks shall not be stockpiled in jurisdiction.
10. These shall be the only structures on this water frontage.
11. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
12. Repairs to these structures may be conducted, as necessary, throughout the duration of this permit provided that the permittee notifies the Wetlands Bureau and Conservation Commission, in writing, of the proposed start and completion date prior to performing any repair.
13. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(d), modification of an existing permanent docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. Wt 402.22, Modification of Existing Structures, states that if the applicant demonstrates that and the department finds the modification to be less of an impact the department shall approve any change in size, location, or configuration.
5. The applicant has provided evidence that the increase in pier width to the standard 6 ft allowed is less environmentally impacting than the dredging that would be necessary to allow the safe use of the pre-existing 4 ft wide pier.
6. Wt 402.06, Permanent Piers, states that crib spacing shall be 12 ft apart.
7. The three cribs are spaced as far apart as possible, and are less than the maximum allowed crib size, and support the structure while not imposing any new impacts to the bank for stabilization; therefore rule Wt 402.06 is waived.
8. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00852 WELLINGTON PROPERTIES LLC, MICHAEL & DAN AVERSA
NEW DURHAM Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,694 square feet (sq. ft.) of forested wetland to cross intermittent stream for three driveway crossings: one 1,720 sq. ft. crossing with installation of an 18" x 10' culvert; one 456 sq. ft. crossing with installation of an 18" x 10' culvert; and one 518 sq. ft. crossing with installation of a 36" x 10' culvert for a 3-lot subdivision on 26.53 acres.

Conservation Commission/Staff Comments:

Con. Com. questioned need based on other access and differences between original application plan and subdivision plan.

APPROVE PERMIT:

Dredge and fill a total of 2,694 square feet (sq. ft.) of forested wetland to cross intermittent stream for three driveway crossings: one 1,720 sq. ft. crossing with installation of an 18" x 10' culvert; one 456 sq. ft. crossing with installation of an 18" x 10' culvert; and one 518 sq. ft. crossing with installation of a 36" x 10' culvert for a 3-lot subdivision on 26.53 acres.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying and Engineering dated 1/23/2004, revised 6/21/04, as received by the Department on 6/28/04.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work shall be done during low flow.
7. This permit is contingent on approval by the DES Subsurface Systems Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3000 sq. ft. of swamp wetlands, and per Rule Wt 303.04(n), alteration of less than 50 linear feet of the thread of an intermittent stream done during a period of low flow.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

5. This approval provides independent access to each lot from the town road. This would not be possible from the existing right-of-way without creating a 4-lot shared driveway which is not allowed by the town.

2004-00935 FULLER, GLENN
GILFORD Lake Winnepesaukee

Requested Action:

Install a 6 ft x 40 ft hinged seasonal dock connected to an existing 6 ft x 40 ft seasonal dock with a 6 ft x 12 ft seasonal walkway, in a "U" shape, on an average of 202 ft of frontage on Mark Island, Lake Winnepesaukee.

Conservation Commission/Staff Comments:

Con. Com. had no objections to project.

APPROVE PERMIT:

Install a 6 ft x 40 ft hinged seasonal dock connected to an existing 6 ft x 40 ft seasonal dock with a 6 ft x 12 ft seasonal walkway, in a "U" shape, on an average of 202 ft of frontage on Mark Island, Lake Winnepesaukee.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction dated April 20, 2004, as received by the Department on May 13, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), construction of a U-shaped seasonal dock providing 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01079 PIPER REVOC TRUST, STEPHEN
LACONIA Lake Winnisquam

Requested Action:

Install a 6 ft x 40 ft seasonal dock hinged to a 4 ft x 6 ft concrete pad, connected to an existing 6 ft x 40 ft hinged seasonal dock by a 6 ft x 10 ft seasonal walkway on an average of 153 ft of frontage on Lake Winnisquam, Laconia.

Conservation Commission/Staff Comments:

Con. Com. did not comment on project.

APPROVE PERMIT:

Install a 6 ft x 40 ft seasonal dock hinged to a 4 ft x 6 ft concrete pad, connected to an existing 6 ft x 40 ft hinged seasonal dock by a 6 ft x 10 ft seasonal walkway on an average of 153 ft of frontage on Lake Winnisquam, Laconia.

With Conditions:

1. All work shall be in accordance with plans by Watermark Marine Construction revised July 19, 2004, as received by the Department on July 20, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. These shall be the only structures on this water frontage and all portions of the structures shall be at least 20 ft from abutting property lines or the imaginary extension of those lines into the water.
8. Seasonal piers shall be removed from the lake for the non-boating season.
9. No portion of the piers shall extend more than 40 feet from the shoreline at full lake elevation.
10. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d), installation of a 3 slip seasonal docking structure.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01286 FRASIER, MARK & TANYA
ALTON Lake Winnepesaukee

Requested Action:

Permanently remove an existing 16 ft by 4 ft wharf, construct a 4 ft by 24 ft permanent piling supported dock on Lake Winnepesaukee, Alton.

Conservation Commission/Staff Comments:

The local Con Com questions the placement of a dock on DOT property without DOT permission.

APPROVE PERMIT:

Permanently remove an existing 16 ft by 4 ft wharf, construct a 4 ft by 24 ft permanent piling supported dock on Lake Winnepesaukee, Alton.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated May 18, 2004, revision date July 20, 2004, as received by the Department on July 20, 2004.
2. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to installation.
3. This permit shall not preclude the Department of Environmental Services (DES) from taking any enforcement action or revocation action if the DES later determines that these "existing structures" were not previously permitted or grandfathered.
4. Construction debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
5. This shall be the only structure on this water frontage and all portions of the dock shall be at least 20 ft. from abutting property lines or the imaginary extension of those lines into the water.
6. No portion of the pier shall extend more than 24 feet from the shoreline at full lake elevation.
7. The minimum spacing of pile bents shall be 12 ft.
8. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(d).
2. The applicant has submitted a letter from the Department of Transportation permitting the installation of a dock on DOT right of way. This addresses the local Conservation Commission concerns.

2004-01325 EPSOM, TOWN OF
EPSOM Unnamed Wetland

Requested Action:

Dredge and fill a total of 7,230 sq. ft. of emergent wetlands associated with Deer Brook to upgrade Swamp Rd., including 4,860 sq. ft. of permanent impact to elevate road 3 feet above flood levels, and install three 36" x 40' culverts to meet 50-year storm flows; and temporarily impact 2,370 sq. ft. of wetland for construction of a temporary sand bag diversion dike.

Conservation Commission/Staff Comments:
Did not intervene.

Inspection Date: 07/12/2004 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 7,230 sq. ft. of emergent wetlands associated with Deer Brook to upgrade Swamp Rd., including 4,860 sq. ft. of permanent impact to elevate road 3 feet above flood levels, and install three 36" x 40' culverts to meet 50-year storm flows; and temporarily impact 2,370 sq. ft. of wetland for construction of a temporary sand bag diversion dike.

With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner and Associates Inc. dated June 2004, as received by the Department on June 18, 2004.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface

waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

8. Work shall be done during low flow.

With Findings:

1. This is a minor impact project per Administrative Rule Wt 303.03(h), alteration of less than 20,000 sq. ft. of wetlands which exceed the criteria of Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES Staff conducted a field inspection of the proposed project on 7/12/04. Field inspection found the road to be very degraded and eroded, and its current elevation only slightly above that of the adjacent wetlands.
6. The project is designed to have the least fill impact while maintaining hydraulic connectivity and achieving its flood protection purpose.

MINIMUM IMPACT PROJECT

2003-00641 PERRY, PAUL
FREMONT Unnamed Wetland

Requested Action:

Request for permit amendment to modify the size of three roadway cross culverts and reduce the size of associated stone outlet aprons to address requests from the Town of Fremont Planning Board and the DES Wetlands Bureau.

Conservation Commission/Staff Comments:

1. In a letter to the DES Wetlands Bureau dated May 5, 2003, the Fremont Conservation Commission made the following recommendations:
 - a. Installation of arched culverts, rather than pipe culverts, at proposed stream crossings; and
 - b. A conservation easement, with boundaries exactly matching the current setback distances proposed by the developer, be established on lots that abut the [Exeter] river.
2. In a letter to the DES Wetlands Bureau dated May 28, 2003 the Exeter River Local Advisory Committee made the following recommendations:
 - a. Define and enforce a 50-foot no-cut, no-disturb buffer along the Exeter River corridor,
 - b. Control cutting along the river bank to maintain the forested canopy, and
 - c. Identify vernal pools located in the upland portion of the property (sic) buffer the pools from disturbance.

APPROVE AMENDMENT:

Dredge and fill approximately 2,256 square feet of scrub-shrub wetlands to install a 3-foot 1.5-foot x 40-foot box culvert, a 3-foot x 2-foot x 40-foot box culvert, a 3-foot x 2-foot x 55-foot bottom box culvert and associated stone outlet aprons to construct a roadway to provide access to a 17-lot residential subdivision on approximately 59 acres.

With Conditions:

1. All work shall be in accordance with the following plans by Gregsak Engineering, Inc.:
 - a) The Grading and Drainage Plan (Sheet 6 of 17) dated October 2002 and revised June 1, 2004, as received by the Department on July 16, 2004; and
 - b) Plans entitled "Proposed Residential Land Subdivision, Scribner Estates, Tax Map 2, Lot 1, NH Route 107, Fremont, NH"

(Sheets 1-5 and 7-17 of 17) by Gregsak Engineering dated October 2002 with various revision dates, as received by the Department on June 16, 2003.

2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #2 of this approval.
4. This permit is contingent on approval by the DES Site Specific Program.
5. This permit is contingent on approval by the DES Subsurface Systems Bureau.
6. This permit shall not be effective until it has been recorded with the Rockingham County Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. Appropriate erosion, siltation, and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
8. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
9. Work shall be conducted during low flow.
10. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
11. Proper headwalls shall be constructed within seven days of culvert installation.
12. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
13. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
15. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
16. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
17. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. Proposed project modifications have been implemented to address requests from the Town of Fremont Planning Board and the DES Wetlands Bureau.
2. Proposed project modifications will reduce jurisdictional impacts by approximately 204 square feet.

2004-00474 LAMB, THOMAS
MILTON Northeast Pond

Requested Action:

Install an 8 ft x 8 ft stairway, a 2 ft x 11 ft rip-rap swale, and approximately 60 sq ft of rip-rap on a property having an average of 100 ft of shoreline frontage on Northeast Pond.

APPROVE PERMIT:

Install a 6 ft x 8 ft stairway, a 2 ft x 11 ft rock lined swale, and a 27 ft retaining wall on a property having an average of 100 ft of shoreline frontage on Northeast Pond.

With Conditions:

1. All work shall be in accordance with plans by Cuoco & Cormier dated, as received by the Department on July 12, 2004 and July 16, 2004.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done "in the dry" during draw down.

5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. Retaining wall shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
8. Rip-rap shall be located landward of the shoreline at the normal high water, where practical, and shall not extend more than 2 feet lake ward of that line at any point.
9. No regrading will take place north of station 0+55.
10. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Limestone shall be used to fertilize within 25 ft of the reference line.
13. Low or no phosphorus fertilizer shall be used 25 ft - 250 ft beyond the reference line.
14. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(m), projects that disturb less than 50 linear feet, measured along the shoreline.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01183 WYRE, DONNA LEE
STRAFFORD Unnamed Wetland

Requested Action:

Fill approximately 300 square feet within a roadside drainage ditch to construct a shared driveway to provide access to 2 lots within a 5-lot residential subdivision on approximately 13.15 acres.

Conservation Commission/Staff Comments:

No comments received from the Strafford Conservation Commission.

APPROVE PERMIT:

Fill approximately 300 square feet within a roadside drainage ditch to construct a shared driveway to provide access to 2 lots within a 5-lot residential subdivision on approximately 13.15 acres.

With Conditions:

1. All work shall be in accordance with the Amended Subdivision Plat by Orvis/Drew, LLC dated March 3, 2004 and revised May 25, 2004, as received by the Department on June 3, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be conducted during low flow conditions.
7. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
8. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

10. Proper headwalls shall be constructed within seven days of culvert installation.
11. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
12. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
14. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project, per Administrative Rule Wt 303.04(f).
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

2004-01322 AUBURN HEIGHTS LLC
HOOKSETT Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,596 sq. ft. of disturbed wetlands to install one crossing with two 24"x 88' culverts and fill and grading associated with one building and site improvements.

Approve as mitigation 11,885 sq. ft. constructed shrub/emergent wetlands/upland complex, to be contiguous with existing wetlands.

Conservation Commission/Staff Comments:

Did not intervene.

Inspection Date: 07/14/2004 by Dori A Wiggin

APPROVE PERMIT:

Dredge and fill a total of 2,596 sq. ft. of disturbed wetlands to install one crossing with two 24"x 88' culverts and fill and grading associated with one building and site improvements.

Approve as mitigation 11,885 sq. ft. constructed shrub/emergent wetlands/upland complex, to be contiguous with existing wetlands.

With Conditions:

1. All work shall be in accordance with plans by Keach-Nordstrom Associates, Inc. dated 5/17/04, as received by the Department on 6/17/04.
2. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
3. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
4. Proper headwalls shall be constructed within seven days of culvert installation.
5. Culvert outlets shall be properly rip rapped.
6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. This permit is contingent on approval by the DES Site Specific Program.

Wetland construction:

1. This permit is contingent upon the creation of 11,885 sq. ft. of wetlands in accordance with plans received 6/17/04.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The schedule for construction of the mitigation area shall coincide with site construction unless otherwise considered and authorized by the Wetlands Bureau.
4. The mitigation area shall be properly constructed, monitored, and managed in accordance with approved final mitigation plans.
5. Wetland creation areas shall be properly constructed, landscaped, monitored and remedial actions taken that may be necessary to create functioning wetland areas similar to those of the wetlands destroyed by the project. Remedial measures may include replanting, relocating plantings, removal of invasive species, changing soil composition and depth, changing the elevation of the wetland surface, and changing the hydrologic regime.
6. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the mitigation areas are constructed in accordance with the mitigation plan. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
7. The permittee shall notify DES and the local conservation commission in writing of their intention to commence construction no less than 5 business days prior to construction.
8. The permittee or a designee shall conduct a follow-up inspection after the first growing season, to review the success of the mitigation area and schedule remedial actions if necessary. A report outlining these follow-up measures and a schedule for completing the remedial work shall be submitted by December 1 of that year. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each mitigation site.
9. Wetland creation areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Bureau.
10. The permittee shall delineate the wetlands within the mitigation site, document the delineation with data forms, and depict the delineation as an overlay of the final as-built plans after at least five full growing seasons.
11. Wetland soils from areas vegetated with purple loosestrife shall not be used in the wetland creation site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.
12. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the mitigation areas during construction and during the early stages of vegetative establishment.
13. A post-construction report documenting the status of the completed project with photographs shall be submitted to the Wetlands Bureau within 60 days of the completion of construction.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 sq. ft. of swamps or wet meadows.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. Field inspection by DES personnel on 7/14/04 found that the impact area of 1,013 sq. ft. for fill for lot development and site improvement represents work in an area of a man-made drainage ditch excavated in non-wetland soils which only intermittently carries water and was of marginal jurisdiction. The true flow diverts upstream from this ditch, and flows under the proposed crossing location.
6. This application replaces application 2004-359, and corrects deficiencies in that application, including:
 - a. 20-foot abutter sign-off has been provided;
 - b. culvert length has now been adequately justified by the engineer.
7. The mitigation proposed was offered by the applicant, not required by rule Wt 302.03(b).

2004-01438 TRUE, RICHARD
DERRY Tributary To Ballard Pond

Requested Action:

Dredge and fill approximately 1,200 square feet within an intermittent drainage swale and adjacent forested wetlands to install a 4-foot x 3-foot x 55-foot box culvert for construction of a roadway to provide access to an 11-lot residential subdivision, representing phase II construction, on approximately 58.57 acres.

Conservation Commission/Staff Comments:

No comments received from the Derry Conservation Commission.

APPROVE PERMIT:

Dredge and fill approximately 1,200 square feet within an intermittent drainage swale and adjacent forested wetlands to install a 4-foot x 3-foot x 55-foot box culvert for construction of a roadway to provide access to an 11-lot residential subdivision, representing phase II construction, on approximately 58.57 acres.

With Conditions:

1. All work shall be in accordance with the Running Brook Farm - Phase 2 Plans (Sheets 1 - 23 of 23) by True Engineering with various dates, as received by the Department on June 28, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #4 of this approval.
6. This permit shall not be effective until it has been recorded with the Registry of Deeds Office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
7. At least 48 hours prior to the start of construction, a pre-construction meeting shall be held with NHDES Land Resources Management Program staff at the project site or at the DES Office in Concord, N.H. to review the conditions of this wetlands permit and the NHDES Site Specific Permit. It shall be the responsibility of the permittee to schedule the pre-construction meeting, and the meeting shall be attended by the permittee, his/her professional engineer(s), wetlands scientist(s), and the contractor(s) responsible for performing the work.
8. At least seven days prior to the start of construction the permittee shall notify in writing the NHDES Wetlands Bureau and the Derry Conservation Commission of the date project construction is proposed to begin.
9. Work shall be conducted during low flow conditions.
10. Orange construction fencing shall be placed at the limits of construction to prevent accidental encroachment on wetlands.
11. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
12. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
13. Proper headwalls shall be constructed within seven days of culvert installation.
14. Stone aprons shall be installed at culvert outlets, where appropriate, to dissipate flow velocities and prevent scour and erosion.
15. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
16. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
18. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
19. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The project is categorized as a Minimum Impact Project per Administrative Rule Wt 303.04(f), as the project involves alteration of less than 3,000 square feet of forested wetlands.
2. The need for the proposed jurisdictional impacts has been demonstrated by the applicant per Rule Wt 302.01.
3. The applicant has provided evidence which demonstrates that the proposal is the alternative with the least adverse impact to areas and environments under the Department's jurisdiction, in accordance with Rule Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Wt 302.04(b), Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has addressed the subdivision plan requirements of Rule Wt 304.09(a).

FORESTRY NOTIFICATION

2004-01443 CONSERVATION DR LLC, ROBERT PACE
MERRIMACK Unnamed Stream

COMPLETE NOTIFICATION:
Merrimack Tax Map 5A, Lot3 63

2004-01543 SWAIN, DAVID & ELAINE
SANBORTON Unnamed Stream

COMPLETE NOTIFICATION:
Sanborton Tax Map 16, Lot# 15

2004-01617 BURKE, ROBERT
CLAREMONT Unnamed Stream

COMPLETE NOTIFICATION:
Claremont Tax map 184, Lot# 1 & 2

2004-01627 COWLED, PAUL & DAWN
GREENFIELD Unnamed Stream

COMPLETE NOTIFICATION:
Greenfield Tax map 55, Lot# 25

2004-01638 SANDER TRUST, HERMANN
CANDIA Unnamed Stream

COMPLETE NOTIFICATION:
Candia Tax Map 406, Lot# 46

2004-01639 PAGE, EUGENE & KAE
WENTWORTH Unnamed Stream

COMPLETE NOTIFICATION:
Wentworth Tax Map 8-13, Lot# 7

EXPEDITED MINIMUM

2003-00378 YELTON TRUST, EVERETT & MADELYN
NEW LONDON Pleasant Lake

Requested Action:

Repair approximately 220 linear feet of an existing stone and mortar retaining wall on 231 feet of shoreline frontage, New London

Conservation Commission/Staff Comments:

Poor locus information. No tax map. Digitized from previous file.

APPROVE AMENDMENT:

Repair approximately 220 linear feet of an existing stone and mortar retaining wall on 231 feet of shoreline frontage, New London

With Conditions:

1. All work shall be in accordance with revised plans by the applicant, as received by the Department on April 19, 2004.
2. Any future alteration of areas in or adjacent to surface water or wetlands on this property will require a new application and approval by the Department of Environmental Services.
3. Work shall be done in a confined area, through the use of turbidity curtains and/or cofferdams.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
5. Repair shall maintain existing size, location and configuration.
6. This permit to replace or repair existing structures shall not preclude the Department of Environmental Services from taking any enforcement action or revocation action if the Department of Environmental Services later determines that these "existing structures" were not previously permitted or grandfathered.
7. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. All activity shall be in accordance with the Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This project is classified as a minimum impact project per Rule Wt 303.04(v), repair of existing structures with no change in size, location or configuration.
2. Pleasant Lake is no longer drawn down, to preserve a salmon population that has been identified.
3. DES personnel inspected the site on June 23, 2004, and determined the wall is a hazard and failure to repair will result in greater environmental harm.
4. The Department has determined the repairs are required, and therefore, work may be conducted without a draw down of the lake.

2003-00829 EVCO CORP
DERRY Unnamed Wetland

Requested Action:

Request for permit amendment to reflect the correct tax map and lot number.

Conservation Commission/Staff Comments:

The Derry Conservation Commission signed this application.

APPROVE AMENDMENT:

Dredge and fill 380 square feet of forested wetlands and intermittent streambed to install three 15-inch diameter culverts for access to two single-family building lots within a 3 lot residential subdivision on a 19.84-acre parcel of land.

With Conditions:

1. All work shall be in accordance with the Subdivision Plan by Duval Survey Inc. dated May 15, 2003, as received by the Department on July 29, 2003, and detail sheets and narrative by BAG Land Consultants dated July 25, 2003, as received by the Department on July 29, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. Work shall be conducted during low flow.
6. Orange construction fencing shall be placed at the limits of construction prior to construction to prevent accidental encroachment on wetlands.
7. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence must be removed once the area is stabilized.
8. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).

With Findings:

1. The permit amendment is necessary to accurately reflect the correct tax map and lot number.

2003-02563 CAMBI SQUAM LAKE REALTY TRUST, LAURIE HALL TTEE
MOULTONBOROUGH Squam Lake

Requested Action:

Request amendment to relocate the crossing and install a culvert rather than a bridge.

Conservation Commission/Staff Comments:

The Conservation Commission signed this minimum impact application form.

APPROVE AMENDMENT:

Dredge and fill 1050 square feet including the installation of twin 12-inch x 20 foot culverts for access to a proposed single family building location.

With Conditions:

1. All work shall be in accordance with plans by David M Dolan and Associates dated November 7, 2003, and revised through July 9, 2004, as received by the Department on July 19, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and

when considered with the original application are not classified as minor or major.

4. Work shall be done during low flow.
5. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
6. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be avoided.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlets shall be protected in accordance with the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), projects involving alteration of less than 3000 square feet in swamps or wet meadows.
2. DES consistently approves culverts for driveway access to single family residences over intermittent streams.

2003-02564 MOSER ET AL, C/O JOHANN MOSER
MOULTONBOROUGH Squam Lake

Requested Action:

Approve name change to: John R Colligan Rev Trust, Lacey Colligan Rev. Trust, 35 North Gate, Prince Albert Rd., London, UK
NW8-7EG epr request received 7/15/04.

Conservation Commission/Staff Comments:

The conservation commission signed this minimum impact application form.

APPROVE NAME CHANGE:

Install a 12-inch x 30 foot culvert impacting 480 square feet for access to a residential building location.

With Conditions:

1. All work shall be in accordance with plans by David M Dolan Associates dated November 7, 2003 and revised through December 17, 2003, as received by the Department on December 18, 2003.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. Work shall be done during low flow.
4. Additional expedited minimum impact applications shall be accepted for the subject property for a period of 12 months only if the applicant demonstrates by plan that the additional project(s) are wholly unrelated or separate from the original application and when considered with the original application are not classified as minor or major.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Work authorized shall be carried out such that discharges shall be avoided in spawning or nursery areas during spawning seasons, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
7. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding and nesting areas shall be

avoided.

8. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
9. Proper headwalls shall be constructed within seven days of culvert installation.
10. Culvert outlet shall be properly rip rapped.
11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. The contractor responsible for completion of the work shall utilize techniques described in the DES Best Management Practices for Urban Stormwater Runoff Manual (January, 1996) and the Stormwater Management and Erosion and Sediment Control Handbook for Urban and Developing Areas in New Hampshire (August, 1992).
13. All activity shall be in accordance with the Comprehensive Shoreland Protection Act, RSA 483-B (see attached fact sheet).
14. No stumps shall be removed within 50 feet of the reference line per RSA 483-B (see attached fact sheet).

With Findings:

1. This permit transfer is issued in accordance with NH Administrative Rule Wt 502.03(b).

2004-00561 HERTEL, VAN
PITTSFIELD Unnamed Stream

Requested Action:

Dredge and fill approximately 320 square feet of forested wetland and install a 24-inch by 20 foot to access a single family residential lot on approximately 11.93 acres of a 8-lot subdivision on approximately 32.82 acres.

Conservation Commission/Staff Comments:

The Pittsfield Conservation Commission signed the Minimum impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 320 square feet of forested wetland and install a 24-inch by 20 foot to access a single family residential lot on approximately 11.93 acres of a 8-lot subdivision on approximately 32.82 acres.

With Conditions:

1. All work shall be in accordance with the plans by Timothy Jones dated March 17, 2004, as received by the department on April 5, 2004 and the Subdivision Plat plan (Sheet 1 of 1) by Orvis/Drew, LLC dated June 6, 2003 with revisions through December 29, 2003, as received by the Department on May 21, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-00799 GREYSTONE OF MAINE
NEWMARKET Unnamed Wetland

Requested Action:

Dredge and fill a total of 2,295 sq. ft. of palustrine scrub-shrub wetlands for the construction of a deceleration lane along Rte 152 and to widen an existing gravel road with a culvert crossing to provide access to a commercial facility on an 8.44 acre parcel of land.

APPROVE PERMIT:

Dredge and fill a total of 2,295 sq. ft. of palustrine scrub-shrub wetlands for the construction of a deceleration lane along Rte 152 and to widen an existing gravel road with a culvert crossing to provide access to a commercial facility on an 8.44 acre parcel of land.

With Conditions:

1. All work shall be in accordance with plans by Appledore Engineering, Inc. dated April 8, 2004, as received by the Department on May 03, 2004.
2. This permit is contingent on approval by the DES Site Specific Program.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Proper headwalls shall be constructed within seven days of culvert installation.
7. Coastal staff shall be notified in writing prior to commencement of work and upon its completion.

2004-00929 FERLAND, DEBRA
BARTLETT Unnamed Stream

Requested Action:

Fill approximately 747 square feet within the bed and banks of an intermittent stream and adjacent forested wetlands for installation of two (2) 4-foot x 50-foot culverts to access a single family residential lot on approximately 6.6 acres.

APPROVE AFTER THE FACT:

Fill approximately 747 square feet within the bed and banks of an intermittent stream and adjacent forested wetlands for installation of two (2) 4-foot x 50-foot culverts to access a single family residential lot on approximately 6.6 acres.

With Conditions:

1. All work shall be in accordance with plans by Thaddeus Thorne-Surveys, Inc. dated June 28, 2004, as received by the Department on July 2, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Approval of this application shall not preclude or limit the Department's exercise of any enforcement powers it otherwise possesses.
4. This permit is contingent on approval by the DES Subsurface Systems Bureau.
5. Work shall be done during low flow conditions.

6. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Proper headwalls shall be constructed.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a Minor Impact Project per Administrative Rule Wt 303.03(l) projects that alter the course of or disturb less than 200 linear feet within the bed and banks of an intermittent stream.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. On May 17, 2004 the DES Wetlands Bureau received the applicant's Minimum Impact Expedited Application proposing 747 square feet of impacts within the bed and banks of an intermittent stream and adjacent forested wetlands to construct a driveway to access a single-family building lot. During a telephone conversation with the applicant on June 25, 2004, DES Wetlands Bureau staff determined that work within the Department's jurisdiction, as proposed in the Minimum Impact Expedited Application, was near completion without a permit.

2004-01023 GUERTIN, EDWARD
SANBORNTON Lake Winnisquam

Requested Action:

Repair and replace 46 feet of rip-rap along frontage on Lake Winnisquam.

Conservation Commission/Staff Comments:

The Sanbornton Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Repair and replace 46 feet of rip-rap along frontage on Lake Winnisquam.

With Conditions:

1. All work shall be in accordance with plans by Matthew Wood, as received by the Department May 24, 2004
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work shall be done during low water conditions.
5. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters.
6. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
7. All construction related debris and material shall be placed outside of the DES Wetlands Bureau jurisdiction.
8. This permit to replace or repair existing structures shall not preclude DES from taking any enforcement action or revocation if the DES later determines that these "existing structures" were not previously permitted or grandfathered.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), Maintenance, repair, or replacement of a non-docking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to

areas and environments under the department's jurisdiction per Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01388

SUHRE, JOHN & ROSEMARY

SANDOWN Unnamed Wetland

Requested Action:

Replace a 36-inch by 40 foot failing culvert with a 36-inch by 40 foot culvert on Odell Road.

Conservation Commission/Staff Comments:

The Sandown Conservation Commission signed the Minimum Impact Expedited Application

APPROVE PERMIT:

Replace a 36-inch by 40 foot failing culvert with a 36-inch by 40 foot culvert on Odell Road.

With Conditions:

1. All work shall be in accordance with plans by Timothy Roberts as received by the Department on June 23 2004.
2. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued by the DES Wetlands Bureau in consultation with the NH Department of Fish and Game.
3. Appropriate erosion and siltation controls shall be installed prior to construction, maintained during construction, and remain until the area is stabilized. Silt fencing must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. All in-stream work shall be conducted in a manner that minimizes the duration of construction in the watercourse. In-stream work shall not exceed five consecutive days in total unless specifically authorized in writing by the Wetlands Bureau.
6. Dredged material shall be placed out of any area that is within the jurisdiction of the DES Wetlands Bureau.
7. There shall be no excavation or operation of construction equipment in flowing water.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
10. All refueling of equipment shall occur outside of jurisdictional areas during construction.
11. Temporary water diversion measures shall be entirely removed immediately following construction.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the Wetlands Bureau if the species is found in the restoration area during the early stages of vegetative establishment.
14. Any further alteration of areas that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(x), Maintenance, repair or replacement of a nondocking structure such as a culvert, headwall, bridge, dam, residential utility line, or rip-rap slope of less than 50 linear feet.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application

Evaluation, has been considered in the design of the project.

6. A letter dated 6/23/04 was sent to Designated Rivers. DES did not receive comment within the 25 day deadline.

2004-01389 HEATH JR, RICHARD
EATON Unnamed Wetland

Requested Action:

Dredge 3,320 square feet of emergent wetland for construction of a fire pond.

Conservation Commission/Staff Comments:

The Conway Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge 3,320 square feet of emergent wetland for construction of a fire pond.

With Conditions:

1. All work shall be in accordance with the plans by David Weathers dated May 2004, as received by the Department on June 23, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. Work shall be done during low flow conditions.
4. Appropriate erosion, siltation and turbidity controls shall be installed prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
7. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
8. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
9. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

LAKES-SEASONAL DOCK NOTIF

2004-01669 RONDEAU, MICHAEL
ANTRIM Pierce Lake

COMPLETE NOTIFICATION:

Antrim Tax Map 7A, Lot# 66-8 Franklin Pierce Lake

2004-01670 HOBAN FAMILY PARTNERSHIP, PAT HOBAN
ALTON Lake Winnepesaukee

COMPLETE NOTIFICATION:

Alton Tax Map 65, Lot# 76 Lake Winnepesaukee

2004-01671 KLEBE, DANIEL & CARRIE
STEWARTSTOWN Big Diamond Pond

COMPLETE NOTIFICATION:
Stewartstown Tax Map B1, Lot# 29 Big Diamond Pond

SHORELAND VARIANCE / WAIV

2004-01236 TOEPEL, MICHAEL
BELMONT Sargent Lake

Requested Action:
Grant variance to RSA 483-B:9, V(b)to allow the installation of a replacement septic system within the 125 ft setback from surface waters in Belmont on Sargent Lake.

APPROVE CSPA VARIANCE:
Grant variance to RSA 483-B:9, V(b)to allow the installation of a replacement septic system within the 125 ft setback from surface waters in Belmont on Sargent Lake.

With Conditions:

1. All work shall be conducted in accordance with plans by Mark R. Moser of Moser Engineering and received by DES on June 14, 2004.
2. This variance shall not be effective until it has been recorded at the appropriate county registry of deeds office by the Permittee. A copy of the registered approval shall be submitted to the DES Wetlands Bureau prior to construction.
3. A copy of this variance shall be posted in a prominent location on site during construction, visible to inspecting personnel.
4. This variance does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
5. This variance is contingent upon approval of the septic system by the DES Subsurface Bureau.
6. This variance does not exempt the owner from obtaining any other necessary local, state or federal permits or approvals.
7. The owner shall maintain compliance with all other requirements of the Comprehensive Shoreland Protection Act, RSA 483-B.

With Findings:

1. The denial of the variance to replace the existing septic system would result in an unnecessary hardship.
2. The septic system replacement will result in no diminution in value of the property.
3. The new septic system will make the existing site more conforming to the spirit of the statute.
4. Granting the variance will benefit the public interest as the existing septic system is outdated and a potential health hazard.
5. Granting the variance will do substantial justice by improving wastewater treatment on the lot.

ROADWAY MAINTENANCE NOTIF

2004-01635 NH DEPT OF TRANSPORTATION, DISTRICT 4
ACWORTH Unnamed Stream

2004-01636 **NH DOT, DICTRICT 2**
SUTTON Ditch

2004-01668 **NH DEPT OF TRANSPORTATION**
AMHERST Unnamed Wetland

PERMIT BY NOTIFICATION

2004-00682 **SHEEPSHEAD BAY LLC**
WOLFEBORO Unnamed Stream

Requested Action:

PBN#1, Installation of a bridge to access construction of sewage disposal system.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#1, Installation of a bridge to access construction of sewage disposal system.

2004-01147 **SANBORNVILLE WATER PRECINCT**
WAKEFIELD Unnamed Stream

Requested Action:

PBN#6, 1,250 square feet of temporary impact associated with an 8-inch water main replacement.

Conservation Commission/Staff Comments:

The Wakefield Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#6, 1,250 square feet of temporary impact associated with an 8-inch water main replacement.

2004-01232 **BALLIN, LAWRENCE**
NEW LONDON Unnamed Wetland

Requested Action:

Dredge and fill approximately 555 square feet of forested wetland for the construction of a common driveway.

Conservation Commission/Staff Comments:

The New London Conservation Commission signed the PBN form.

APPROVE PERMIT:

Dredge and fill approximately 555 square feet of forested wetland for the construction of a common driveway.

With Conditions:

1. All work shall be in accordance with plans by Lawrence Ballin dated June 22, 2004, as received by the Department on June 23, 2004.
2. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
3. This permit is contingent on approval by the DES Subsurface Systems Bureau.
4. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
5. Work shall be done during no flow conditions.
6. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
7. Proper headwalls shall be constructed within seven days of culvert installation.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

2004-01280 LAPIERRE JR., GEORGE & MAUREEN
MOULTONBOROUGH Unnamed Wetland

Requested Action:

Dredge and fill approximately 1,430 square feet of forested wetland for the installation of a 12-inch by 20 foot culvert to access a single family residential lot on approximately 4.82 acres as part of a 7-lot subdivision on approximately 25.8 acres.

Conservation Commission/Staff Comments:

The Moultonborough Conservation Commission signed the Minimum Impact Expedited Application.

APPROVE PERMIT:

Dredge and fill approximately 1,430 square feet of forested wetland for the installation of a 12-inch by 20 foot culvert to access a single family residential lot on approximately 4.82 acres as part of a 7-lot subdivision on approximately 25.8 acres.

With Conditions:

1. All work shall be in accordance with the following plans by David M. Dolan Associates, P.C.:
 - a.) Wetland Impact Plan dated April 19, 2004, as received by the Department on June 15, 2004;
 - b.) Subdivision Plan dated March 24, 2004 with revisions through June 10, 2004, as received by the Department on June 24, 2004.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. There shall be no further alteration of wetlands for lot development, driveways, culverts, or for septic setback.

4. The deed which accompanies the sales transaction for each of the lots in this subdivision shall contain condition #3 of this approval.
5. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the registered permit shall be submitted to the DES Wetlands Bureau prior to construction.
6. Work shall be done during low flow conditions.
7. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
8. Proper headwalls shall be constructed within seven days of culvert installation.
9. Culvert outlets shall be properly rip rapped.
10. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a minimum impact project per Administrative Rule Wt 303.04(f), alteration of less than 3,000 square feet of jurisdictional forested wetland.
2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. DES has determined that this project will not adversely impact any endangered or threatened species.

2004-01282 DEER COVE CONDO SOUTH, JOHN ALLEN
CENTER OSS�PEE Ossipee Lake

Requested Action:

PBN#10, Installation of a seasonal personal watercraft lift on approximately 123 feet of shoreline frontage on Ossipee Lake.

Conservation Commission/Staff Comments:

The Center Ossipee Conservation Commission did not sign the PBN.

PBN IS COMPLETE:

PBN#10, Installation of a seasonal personal watercraft lift on approximately 123 feet of shoreline frontage on Ossipee Lake.

2004-01534 BOW PIONEERS SNOWMOBILE CLUB, DAN WEED
BOW Unnamed Stream

Requested Action:

Per Rule Wt 303.02(f), any project located in or adjacent to designated wetlands is classified as a major impact project. This project is adjacent to prime wetland designated by the Town of Bow, as #44.

PBN DISQUALIFIED:

Per Rule Wt 303.02(f), any project located in or adjacent to designated wetlands is classified as a major impact project. This project is adjacent to prime wetland designated by the Town of Bow, as #44.

2004-01535 STEINFELD LIVING TRUST, CARL STEINFELD
NEWBURY Lake Sunapee

Requested Action:

PBN#11, Replace and existing 8-foot by 40 foot dock, in-kind, on approximately 100 feet of shoreline frontage on Lake Sunapee.

Conservation Commission/Staff Comments:

The Newbury Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, Replace and existing 8-foot by 40 foot dock, in-kind, on approximately 100 feet of shoreline frontage on Lake Sunapee.

2004-01569 SANDERSON, DIANE & ERIC
MEREDITH Lake Winnepesaukee

Requested Action:

PBN#10, Install two (2) seasonal personal watercraft lifts on approximately 80 feet of shoreline frontage on Lake Winnepesaukee.

Conservation Commission/Staff Comments:

The Meredith Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#10, Install two (2) seasonal personal watercraft lifts on approximately 80 feet of shoreline frontage on Lake Winnepesaukee.

2004-01570 BRUNO, ARTHUR
WOLFEBORO Lake Winnepesaukee

Requested Action:

PBN#12, In-kind repair of existing docking facilities.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#12, In-kind repair of existing docking facilities.

2004-01571 RICE CHILDRENS TRUST, MJ & VAN DECAR RICE TTEES
WOLFEBORO Lake Winnepesaukee

Requested Action:

PBN#11, In-kind repair of existing breakwater on approximately 100 feet of shoreline frontage.

Conservation Commission/Staff Comments:

The Wolfeboro Conservation Commission signed the PBN.

PBN IS COMPLETE:

PBN#11, In-kind repair of existing breakwater on approximately 100 feet of shoreline frontage.